

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION**

LINDA FAIRSTEIN, )  
Plaintiff, )  
v. )  
NETFLIX, INC., AVA DUVERNAY, and )  
ATTICA LOCKE, )  
Defendants. )  
Case No. 20-cv-00180

**AGREED MOTION REQUESTING LEAVE  
TO FILE BRIEFS IN EXCESS OF 25 PAGES**

For the reasons set forth herein, Defendant, Netflix, Inc. (“Netflix”), respectfully moves this Court for leave to file a Motion to Dismiss and Supporting Memorandum of Law in excess of the 25 pages allowed by Local Rule 3.01(a). Netflix’s proposed filling will not exceed forty (40) pages, excluding captions and signatures. Plaintiff consents to Netflix’s request and seeks leave to file a response to Netflix’s Motion to Dismiss of not more than forty (40) pages, excluding captions and signatures.

## **MEMORANDUM OF LAW**

Plaintiff's Complaint is 119 pages and contains 382 paragraphs and more than 200 footnotes, citing to and relying upon a host of publications and public records. Netflix has attempted diligently to stay within the Court's page limits for motions and has limited its Motion to Dismiss to only the most compelling arguments for dismissal. While Netflix has endeavored to make its presentation as succinct as possible, the complexity and importance of the Constitutional and common law issues it raises necessitate an enlargement of the Court's page limits. Netflix respectfully submits that justice will be served by allowing Netflix additional pages to fully address

all of the relevant facts and legal arguments necessary for the Court's consideration of Netflix's Motion to Dismiss.

In order to fully respond to Netflix's enlarged motion and memorandum, Plaintiff requests leave to file an over-length response to Netflix's Motion to Dismiss. Netflix consents to Plaintiff's request.

WHEREFORE, for the foregoing reasons, the parties respectfully request that this Court grant this motion and allow Netflix to file an over-length Motion to Dismiss with memorandum in support which shall not exceed forty (40) pages and Plaintiff to file an over-length Response to Netflix's Motion to Dismiss with memorandum in support which shall not exceed forty (40) pages.

**Local Rule 3.01(g) Certification**

Counsel for the parties communicated on May 6 and May 7, 2020 and agree to the relief requested herein.

Dated May 8, 2020.

Respectfully submitted,

/s/ Kelley Geraghty Price  
Natalie J. Spears (pro hac vice pending)  
Gregory R. Naron (pro hac vice pending)  
Jacqueline A. Giannini (pro hac vice pending)  
DENTONS US LLP  
233 South Wacker Drive, Suite 5900  
Chicago, Illinois 60606  
Phone: (312) 876-8000  
[natalie.spears@dentons.com](mailto:natalie.spears@dentons.com)  
[gregory.naron@dentons.com](mailto:gregory.naron@dentons.com)  
[jacqui.giannini@dentons.com](mailto:jacqui.giannini@dentons.com)

Kelley Geraghty Price (Florida Bar #889539)  
Local Trial Counsel  
DENTONS COHEN & GRIGSBY P.C.  
Mercato - Suite 6200  
9110 Strada Place  
Naples, Florida 34108  
Phone: (239) 390-1913  
[kelley.price@dentons.com](mailto:kelley.price@dentons.com)  
Counsel for Netflix, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 8th day of May, 2020 a copy of the foregoing was filed electronically via the ECF filing system.

/s/ Kelley Geraghty Price

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